

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION**

RESOLUTION NO. R7-2002-0184

**PROHIBITION OF THE DISCHARGE OF INDIVIDUAL SUBSURFACE WASTEWATER DISPOSAL
SYSTEMS IN THE CATHEDRAL CITY COVE**

- WHEREAS, Article 3, Chapter 4 of Division 7 of the California Water Code directs each regional board to formulate and develop a water quality control plan to protect the beneficial uses and the prevention of nuisance of waters of the region.
- WHEREAS, Section 13286 of the California Water Code requires the Regional Board to prohibit the discharge of wastewater into the ground through the use of individual subsurface disposal systems in the Cove area of Cathedral City on and after January 1, 2012.
- WHEREAS, It is the intent of this Regional Board to encourage and support local governmental agencies, and to coordinate state and local efforts to develop water quality control measures in unsewered areas.
- WHEREAS, The beneficial uses of the ground waters in the Coachella Hydrologic Subunit are:
- a. Municipal supply
 - b. Industrial supply
 - c. Agricultural supply
- WHEREAS, The California Department of Health Services specifies a maximum contaminant level of nitrate as 45 milligrams per liter for domestic water supply, Section 64435, Article 4, Chapter 15, Title 22 of the California Code of Regulations.
- WHEREAS, A report done in May, 1986, by Camp, Dresser, and McKee addressing ground water contamination in Coachella Valley was submitted to the Desert Water Agency, Coachella Valley Water District, and this Regional Board, and states:
- "The largest known area where septic tank use still prevails is in Cathedral City. The potential impact on local ground water quality includes increases in TDS, chlorides and nitrate...Data from five wells near Cathedral City ...have nitrate and TDS levels above background levels in the Palm Springs Subarea."
- WHEREAS, A report completed in February 1993, by the Desert Water Agency, indicated that the concentration of nitrate in several local water wells exceeded the maximum contaminant level for domestic water supply, with the most likely source being local subsurface wastewater disposal systems.
- WHEREAS, A follow-up report completed in April, 2001, by Kreiger and Stewart Incorporated, presented evidence that further supported the source as local subsurface wastewater disposal systems

WHEREAS, Regional Board staff has reviewed relevant documents related to ground water contamination from subsurface disposal in the Cove.

WHEREAS, The Regional Board has found substantial evidence to indicate the source of ground water contamination in the Cove is from area subsurface wastewater disposal systems.

WHEREAS, The proposed amendment incorporates the language of the California Water Code Section 13286, as required by that section. In enacting the prohibition on subsurface disposal systems, the Regional Board cannot specify the design, location, type of construction or particular manner in which dischargers must comply with the proposed amendment, Section 13360, California Water Code. The proposed amendment is therefore a ministerial project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 21080, subd. (b)(1) of the Public Resources Code.

WHEREAS, The Water Quality Control Plan amendment will prohibit the discharge of wastewater from individual subsurface disposal systems in the Cove area of Cathedral City, California as required by the California Water Code, Section 13286. The amendment also makes nonsubstantive language changes regarding the status of septic prohibitions within the Region, and requires the City of Cathedral City to submit annual reports pursuant to Section 13225 of the California Water Code.

WHEREAS, The Regional Board notified interested agencies and persons of its intent to revise Chapter 4, Implementation, part I, section "H. Septic Systems" of the Water Quality Control Plan.

WHEREAS, The Regional Board in a public meeting heard and considered all comments pertaining to the proposed amendment.

THEREFORE, BE IT

RESOLVED, that the California Regional Water Quality Control Board, Colorado River Basin Region, adopts the attached amendment to section "H. Septic Systems" of the Water Quality Control Plan, to prohibit the discharge of wastewater from individual subsurface disposal systems in the Cove area of Cathedral City on and after January 1, 2012.

RESOLVED, that the amendment shall become effective when approved by the State Water Resources Control Board, or, if submitted to the Office of Administrative Law (OAL), when approved by OAL.

RESOLVED, that the Regional Board Executive Officer is directed to submit the amendment to the State Board.

RESOLVED, that the Regional Board Executive Officer is directed to file a Notice of Exemption with the Office of Planning and Research.

RESOLVED, that if during the review or approval process the State Board or Office of Administrative Law determines that minor, nonsubstantive corrections to the language of the amendment are needed for clarity or consistency, the Executive Officer may make such changes, and shall inform the Board of any such changes.

I, PHIL GRUENBERG, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Colorado River Basin Region, on November 13, 2002.

PHIL GRUENBERG
Executive Officer